



Paper No. 23

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**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Filed by: Judge Michael Sofocleous  
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Applicants: Teizo Yoshimura et al.  
Application No.: 07/330,446  
Filed: March 30, 1989  
For: Human Derived Monocyte  
Attracting Purified Protein Product  
Useful In A Method Of Treating  
Infection And Neoplasms In A Human  
Body, And The Cloning Of Full  
Length CNDA Thereof  
Accorded Benefit of: U.S.  
07/304,234 filed 01/31/89

This case referred to above has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interference with other cases hereafter specified. Attention is directed to the fact that this interference is declared pursuant to 37 CFR § 1.601 et seq., effective February 11, 1985 (49 Fed. Reg. 48,416 (1984); 1050 Off. Gaz. Pat. & Trademark Office 385 (Jan. 29, 1985)), and amendments effective April 21, 1995. See Notice of Final Rule, 60 Fed. Reg. 14,488 (1995), reprinted in 1173 Off. Gaz. Pat. & Trademark Office 36 (Apr. 11, 1995). A clean copy of the interference rules, as amended, appears at 1173 Off. Gaz. Pat. & Trademark Office 384 (Apr. 18, 1995). The interference is designated as No. 103,884.

By direction of the Commissioner of Patents and Trademarks and as required by 35 U.S.C. § 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

The parties involved in this interference are:

JUNIOR PARTY

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Application No.:    07/351,008 filed May 12, 1989,  
                      P.N. 5,212,073 issued May 18, 1993  
  
For:                 A Recombinant Process For Producing Human  
                      JE Cytokine  
  
Assignee:           Genetics Institute, Inc.; Dana Farber Cancer  
                      Inst.  
  
Attorney(s):        Ellen J. Kapinos, Bruce M. Eisen,  
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Accorded benefit:   None  
  
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Application No.: 07/330,446 filed March 30, 1989

For: Human Derived Monocyte Attracting Purified  
Protein Product Useful In A Method Of  
Treating Infection and Neoplasms In A Human  
Body, And The Cloning Of Full Length CDNA  
Thereof

Assignee: None

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Accorded benefit: U.S. Application 07/304,234 filed January  
31, 1989

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An isolated and purified DNA molecular encoding human JE protein or MCP-1 protein, said protein possessing monocyte chemoattractant activity.

The claims of the parties which correspond to the count are:

Rollins et al.: Claims 1-5  
Yoshimura et al.: Claims 9 and 11-19

COUNT 2

An isolated and purified human JE/Monocyte Chemoattractant Protein-1 (JE/MCP-1) polypeptide, which exhibits monocyte chemotactive activity.

The claims of the parties which correspond to the count are:

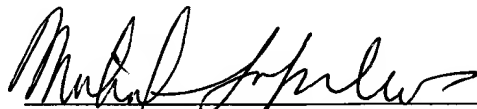
Rollins et al.: Claims 1-2  
Yoshimura et al.: Claims 1-3, 7, 20

COUNT 3

A method of treating neoplasms or tumors in humans comprising administering an effective amount of a purified human JE/MCP-1 protein.

The claims of the parties which correspond to the count art:

Rollins et al.: Claims 1, 2, 5 and 6  
Yoshimura et al.: Claim 6



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Serial No. 07/330,446

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